

REMARKS

Summary of the Office Action

Claims 19-53 are pending in this application.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter in claims 19, 26, 27 38.

Claims 19-53 are informally objected to on the basis that the subject matter of claims 19, 26, 27 and 38 is not contained in the specification.

The drawings are objected to as not having shown every feature of the invention specified in the claims with respect to the "gear transmission" and the "emitting antenna".

Applicant's Response

Applicant respectfully traverses the rejections of claims 19, 26, 27 and 38 as lacking support in the specification. The terms used in the claims are fully supported in the specification of the as-filed application.

With respect to claim 19, the limitation "the actuator having a nut" is supported both in the specification and as-filed claim 4. In particular, the specification provides at page 12 spanning lines 29-36 that:

Actuator 8 may be of any classical means known to the craftsman which could fit with the screw thread pitch so as to transmit movement to it. In a particularly ideal way, actuator 8 may be provided with a simple bolt which allows assurance of screw thread pitch drive. Actuator 8 may, in general, be by means of a motor, an electric or electromagnetic motor, or otherwise, without however deviating from the scope of the invention.

As-filed claim 4 recites that:

The ring according to one of claims 1 to 3, characterized in that the **actuator (8) is provided with a nut** to ensure the screw thread pitch drive. (emphasis added).

Although claim 4 was amended in the Preliminary Amendment filed concurrently with the original application to make that claim dependent from claim 3, it retained the limitation that "**actuator (8) is provided with a nut.**"

35 U.S.C. 112 states that "[t]he specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention." Accordingly, the claims in the as-filed specification form part of the disclosure in determining compliance with the Section 112 disclosure requirements.

E.g., Ex parte Gould, 6 USPQ2d 1680, 1681 (Bd. Pat. App. & Int'l 1987) ("review includes a consideration of both the specification and the original claims constituting part of the original disclosure"). See also In re Benno, 768 F.2d 1340, 1346, 226 USPQ 683, 686-687 (Fed. Cir. 1985); Twin Disc, Inc. v. United States, 10 Cl. Ct. 713, 231 USPQ 417, 435 (Cl. Ct. 1986). The recitation of claim 19, "the actuator having a nut", therefore is fully supported by as-filed claim 4. Applicant therefore respectfully requests that the objection to the specification, and the rejection to claim 19, be withdrawn.

Applicant submits that as-filed claim 4 also provides support for the amendment to claim 27 (presented above) reciting that "the electric motor is coupled to the nut" and for the term "nut actuator" used in independent claim 38. Applicant submits that in view of the disclosure of as-filed claim 4 and the above-quoted portion of the specification at page 12, the term "nut actuator" is both fully supported in the specification and readily understood by one of ordinary skill. Accordingly, applicant requests that the objections to the specification and rejections of claims 27 and 38 be withdraw.

With respect to the objection to claim 26 regarding the limitation "the compressible material is ePTFE", applicant

refers the Examiner to page 13, lines 16-28 of the specification, which recites:

In a particularly ideal manner, **compressible material 20** is ePTFE, whose compressibility and stability characteristics in constriction are particularly well suited to this type of application.

According to a first variation of embodiment, as shown in figures 1 and 2, the ring in compliance with the invention consists of an envelope 3 made of silicone material and of a thickness that is substantially constant, which comprises the watertight exterior covering of the ring. The interior covering of the ring is made exclusively of **compressible material 20**, for example ePTFE, inside of which the flexible filiform element 4 is inserted with a slight clearance."

Because the limitation of claim 26 is recited verbatim in the above-quoted portion of the specification, applicant respectfully submits that the specification fully supports the above-claim limitation, and the objection to the specification and claim rejection based thereon should be withdrawn.

Applicant has amended claim 27 to delete reference to a "gear transmission" and has canceled claims 37 and 50 to delete reference to an "emitting antenna". These amendments obviate the objections to the drawings and thus there is no longer a need to submit corrected drawings.

CONCLUSION

In view of the foregoing, applicant respectfully submits that the application is in condition for allowance. An early and favorable action is earnestly requested.

Respectfully submitted,



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